IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

FRIDAY, THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI BILAL NAZKI THE ACTING CHIEF JUSTICE

and
THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT APPEAL NO : 927 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 31/03/2005 in WP No : 5170 OF 2005 on the file of the High Court.)

Between:

1 The State of Andhra Pradesh rep. by the Principal Secretary to

Government School Education Department, Secretariat

Buildings, Hyderabad.
2 The Ed-CET Convener 2003-2004/Dean, College of Education,

Osmania University, Hyderabad.
3 The Ed-CET Convener 2004-2005/Regional Joint Director School

Education, Kakinada.
4 The Commissioner and Director of School Education, Saifabad,

Hyderabad.

.... APPELLANTS/RESPONDENT Nos.1, 2, 3 & 5

AND

1 Association of Managements of Private Colleges

of Education, Andhra Pradesh, Regd. No. 654/2004, rep. by

its Secretary, Maruthi Nagar, Kurnool.
2 The A.P. State Council for Higher Education, rep. by its

Secretary, Saifabad, Hyderabad.

....RESPONDENTS/PETITIONER & 4th RESPONDENT

Counsel for the Appellants:GP FOR SCHOOL EDUCATION
Counsel for the Respondents: MR.A.VEERASWAMY

The Court made the following :

J U D G M E N T : (Per the Hon'ble Sri Bilal Nazki, ACJ)

The grievance of the writ petitioner was that by para 4 of G.O.Ms.No.46, School Education (Trg.) Department, dated 23-02-2005, the respondents/appellants have reduced the number of seats in the colleges represented by the petitioner association. This was being done on the ground that in the previous year, the management had exceeded the number of seats in various methodologies, whereas they had reduced some seats in other methodologies.

Learned Government Pleader for School Education submits that he has instructions to submit that the over all number of seats in the colleges represented by the writ petitioner association would not be reduced, but what is required is that the colleges which reduced the number of seats in a particular methodology in previous year shall increase equivalent number of seats for the academic year 2004-2005 in such methodologies and shall also reduce seats in methodologies by the number they exceeded in previous year. It is also stated that in certain cases, deviations cannot be adjusted, if the number of seats deviated were more than the allotted seats in the particular subject and in such cases, adjustment will continue in the next year as well.

In view of these submissions, the order of the learned Single Judge is set aside and the writ petition and the writ appeal are allowed in terms mentioned hereinabove. No order as to costs.

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(Bilal Nazki, ACJ)

29th April, 2005.

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(Dr.G.Yethirajulu,J)

vrn

To

1 The Secretary, Association of Managements of Private Colleges

of Education, Andhra Pradesh, Regd. No. 654/2004,
Maruthi Nagar, Kurnool.

2 The Secretary, A.P. State Council for Higher Education, Saifabad,

Hyderabad.

3 Two C.Cs to the Government Pleader for School Education, High

Court Buildings, A.P., Hyderabad (OUT)

4 Two C.D copies.